

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

General Administration Department

Notification

14-22-69-GAD

The following Section shall be substituted for the existing section X of the "Flag Code" published vide notification No. GAD/B/44/10188/66 dated 7-7-66 in the Government Gazette No. 29 Series I dated 20-10-66 for general information.

S. R. Sawant, Deputy Secretary (Appointments).
Panaji, 22nd September, 1971.

"X—Rules For Official Display

(1) *Public buildings*:—(a) Normally the National Flag should be flown only on important public buildings such as High Courts, Secretariats, Commissioners' Offices, Collectorates, Jails and offices of the District Boards, Municipalities and Zilla Parishads.

(b) In frontier areas, the National Flag may be flown on the border customs posts, check posts, out posts, and at other special places where the flying of the Flag takes on special significance. In addition, it may be flown on the camp sites of border patrols.

(2) *Official residences*:—(a) The National Flag should be flown on the official residences of the President, Vice-President, Governors and Lieutenant Governors when they are at Headquarters and on the building in which they stay during their visits to places outside the Headquarters. On the days mentioned in Section VI the Flag should be flown on such official residences irrespective of whether the dignitary is at headquarters or not.

(b) The National Flag should be flown on the residences at Headquarters of the Heads of Missions/posts abroad in the countries where it is the custom for diplomatic and consular representatives to fly their National Flags over their official residences. They may also, in similar circumstances, fly the Flag on their offices where they are separate from residences.

(3) *Institutions*:—(a) When the President, the Vice-President or the Prime Minister visits an institution, the National Flag may be flown by the institution as a mark of respect.

(b) On the occasions of the visit to India by foreign dignitaries, namely, President, Vice-President, Emperor/King or Heir Prince and the Prime Minister, the National Flag may be flown along with the Flag of the Foreign country concerned in accordance with the rules contained in Section VIII by such private institutions as are according reception to the visiting foreign dignitaries and on such public buildings as the foreign dignitaries intend to visit on the day of visit to the institution.

(4) *Motor Cars*:—(a) The privilege of flying the National Flag on motor cars is limited to the:—

- i) President;
- ii) Vice President;
- iii) Governors and Lieutenant Governors;
- iv) Heads of Indian Missions abroad in the countries to which they are accredited;
- v) Prime Minister and other Cabinet Ministers; Ministers of State and Deputy Ministers of the Union;
Chief Minister and other Cabinet Ministers. Ministers of State and Deputy Ministers of States;
Chief Ministers and other Cabinet Ministers of Meghalaya;
Chief Minister and other Cabinet Ministers, Ministers of State and Deputy Ministers of Union Territories;
Chief Executive Councillor and other Executive Councillors, Delhi;
- vi) Speaker of the Lok Sabha;
Deputy Chairman of the Rajya Sabha;
Deputy Speaker of the Lok Sabha;
Chairman of Legislative Councils in States;
Speakers of Legislative Assembly in States/
Meghalaya/Union Territories;
Government Deputy Chief Whips in Rajya Sabha/Lok Sabha;
Deputy Chairman of Legislative Councils in States;
Deputy Speakers of Legislative Assemblies in States/Meghalaya/Union Territories;
Chairman and Deputy Chairman of Metropolitan Council in Delhi.
- vii) Chief Justice of India,
Chief Justices of High Courts.

The dignitaries mentioned in Clauses (v) to (vii) may fly the National Flag on their cars, whenever they consider it necessary or advisable.

(b) When a foreign dignitary travels in a car provided by Government the National Flag will be

flown on the right side of the car and the Flag of the foreign dignitaries will be flown on the left side of the car.

(5) *Trains*:—When the President travels by special train within the country the National Flag should be flown from the driver's cab on the side facing the platform of the station from where the train departs. The Flag should be flown only when the special train is stationary or when coming into the station where it is going to halt.

(6) *Aircraft*:—(a) The National Flag will be flown on the aircraft carrying the President, the Vice-President or the Prime Minister on a visit to a foreign country. Alongside the National Flag, the Flag of the country visited should also be flown but, when the aircraft lands in countries *en-route*, the National Flag of the countries touched would be flown instead, as a gesture of courtesy and goodwill.

(b) When the President goes on tour within India, the National Flag will be displayed on the side by which the President will embark the aircraft or disembark from it".

Home Department 'A'

Notification

HD-25-58/71-A(1)

In exercise of the powers conferred by sub-section 2(j) of section 68 of the Motor Vehicles Act, 1939, (4 of 1939) as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:

1. *Short title and commencement*:—(1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Fourteenth Amendment) Rules, 1971.

(2) They shall come into force at once.

2. *Amendment of Rule 4.36*:—

In Sub-Rule (1) of Rule 4.36 of the Goa, Daman and Diu Motor Vehicles Rules, 1965, for the words "shall be the Secretary to the Government" the words "shall be the State Transport Appellate Tribunal" shall be substituted.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Health).

Panaji, 24th September, 1971.

Finance (Revenue) Department

Notification

Fin(Rev)/2-42/8/2358/71(i)

In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp

Act, 1899, (11 of 1899) as extended to this Union Territory of Goa, Daman and Diu the Administrator of Goa, Daman and Diu is pleased to remit fifty per cent of the stamp duty payable under the said Act, in respect of:—

i) Bonds and mortgage deeds executed in favour of Scheduled Commercial Banks, Goa State Cooperative Bank and the Maharashtra State Financial Corporation in connection with loans granted by them for protection or development of Small Scale Industries and Cottage Industries;

ii) Lease deeds executed in favour of Goa, Daman and Diu Industrial Development Corporation, in connection with lease of land from the said Corporation for setting up small scale industries.

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 23rd September, 1971.

Notification

Fin(Rev)/2-42/8/2358/71(ii)

In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899, (11 of 1899) as extended to this Union Territory of Goa, Daman and Diu the Administrator of Goa, Daman and Diu is pleased to remit with effect from 14-7-1964 fifty per cent of the stamp duty payable under the said Act in respect of mortgage deeds and bonds executed in favour of Government of this Union Territory in connection with any loan granted by the Government for the protection or development of small scale industries, cottage industries and agriculture.

This issues in supersession of Government Notification No. F3/2-30/64/14878, dated 14th July, 1964, published in Government Gazette No. 31, Series I, dated 30th July, 1964.

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 23rd September, 1971.

Law and Judicial Department

Notification

LD/64/71-A

The Telegraph (Amendment) Act, 1971 (33 of 1971) which was recently passed by the Parliament and assented to by the President of India is hereby published for the general information of public.

M. S. Borkar, Under Secretary.

Panaji, 31st September, 1971.

The Indian Telegraph (Amendment) Act, 1971

AN
ACT*further to amend the Indian Telegraph Act, 1885*

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Indian Telegraph (Amendment) Act, 1971.

2. **Insertion of new section 6A.**—After section 6 of the Indian Telegraph Act, 1885 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

“6A. Power to notify rates for transmission of messages to countries outside India.—(1) The Central Government may, from time to time, by order, notify the rates at which, and the other conditions and restrictions subject to which, messages shall be transmitted to any country outside India.

(2) In notifying the rates under sub-section (1), the Central Government shall have due regard to all or any of the following factors, namely:—

(a) the rates for the time being in force, for transmission of messages, in countries outside India;

(b) the foreign exchange rates for the time being in force;

(c) the rates for the time being in force for transmission of messages within India;

(d) such other relevant factors as the Central Government may think fit in the circumstances of the case.”

3. **Amendment of section 7.**—In sub-section (2) of section 7 of the principal Act, in clause (a), the words “within India” shall be inserted at the end.

4. **Omission of section 29.**—Section 29 of the principal Act shall be omitted.

Notification

LD/64/71-B

The Medical Termination of Pregnancy Act, 1971 (34 of 1971) which was recently passed by the Parliament and assented to by the President of India is hereby published for the general information of public.

M. S. Borkar, Under Secretary.

Panaji, 21st September, 1971.

The Medical Termination of Pregnancy Act, 1971

AN
ACT

to provide for the termination of certain pregnancies by registered medical practitioners and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Medical Termination of Pregnancy Act, 1971.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(a) “guardian” means a person having the care of the person of a minor or a lunatic;

(b) “lunatic” has the meaning assigned to it in section 3 of the Indian Lunacy Act, 1912;

4 of 1912.

(c) “minor” means a person who, under the provisions of the Indian Majority Act, 1875, is to be deemed not to have attained his majority;

9 of 1875.

(d) “registered medical practitioner” means a medical practitioner who possesses any recognised medical qualification as defined in clause (h) of section 2 of the Indian Medical Council Act, 1956, whose name has been entered in a State Medical Register and who has such experience or training in gynaecology and obstetrics as may be prescribed by rules made under this Act.

102 of 1956.

3. **When pregnancies may be terminated by registered medical practitioners.**—

(1) Notwithstanding anything contained in the Indian Penal Code, a registered medical practitioner shall not be guilty of any offence under that Code or under any other law for the time being in force, if any pregnancy is terminated by him in accordance with the provisions of this Act.

45 of 1860.

(2) Subject to the provisions of sub-section (4), a pregnancy may be terminated by a registered medical practitioner,—

(a) where the length of the pregnancy does not exceed twelve weeks, if such medical practitioner is, or

(b) where the length of the pregnancy exceeds twelve weeks but does not exceed twenty weeks, if not less than two registered medical practitioners are,

of opinion, formed in good faith, that—

(i) the continuance of the pregnancy would involve a risk to the life of the pregnant woman or of grave injury to her physical or mental health; or

(ii) there is a substantial risk that if the child were born, it would suffer from such physical or mental abnormalities as to be seriously handicapped.

Explanation 1.—Where any pregnancy is alleged by the pregnant woman to have been caused by

rape, the anguish caused by such pregnancy shall be presumed to constitute a grave injury to the mental health of the pregnant woman.

Explanation II. — Where any pregnancy occurs as a result of failure of any device or method used by any married woman or her husband for the purpose of limiting the number of children, the anguish caused by such unwanted pregnancy may be presumed to constitute a grave injury to the mental health of the pregnant woman.

(3) In determining whether the continuance of a pregnancy would involve such risk of injury to the health as is mentioned in sub-section (2), account may be taken of the pregnant woman's actual or reasonably foreseeable environment.

(4) (a) No pregnancy of a woman, who has not attained the age of eighteen years, or, who, having attained the age of eighteen years, is a lunatic, shall be terminated except with the consent in writing of her guardian.

(b) Save as otherwise provided in clause (a), no pregnancy shall be terminated except with the consent of the pregnant woman.

4. Place where pregnancy may be terminated. — No termination of pregnancy shall be made in accordance with this Act at any place other than —

(a) a hospital established or maintained by Government, or

(b) a place for the time being approved for the purpose of this Act by Government.

5. Sections 3 and 4 when not to apply. — (1) The provisions of section 4, and so much of the provisions of sub-section (2) of section 3 as relate to the length of the pregnancy and the opinion of not less than two registered medical practitioners, shall not apply to the termination of a pregnancy by a registered medical practitioner in a case where he is of opinion, formed in good faith, that the termination of such pregnancy is immediately necessary to save the life of the pregnant woman.

(2) Notwithstanding anything contained in the Indian Penal Code, the termination of a pregnancy by a person who is not a registered medical practitioner shall be an offence punishable under that Code, and that Code shall to this extent, stand modified.

Explanation. — For the purposes of this section, so much of the provisions of clause (d) of section 2 as relate to the possession, by a registered medical practitioner, of experience or training in gynaecology and obstetrics shall not apply.

6. Power to make rules. — (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —

(a) the experience or training, or both, which a registered medical practitioner shall have if he

intends to terminate any pregnancy under this Act; and

(b) such other matters as are required to be, or may be, provided by rules made under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

7. Power to make regulations. — (1) The State Government may, by regulations, —

(a) require any such opinion as is referred to in sub-section (2) of section 3 to be certified by a registered medical practitioner or practitioners concerned, in such form and at such time as may be specified in such regulations, and the preservation or disposal of such certificates;

(b) require any registered medical practitioner, who terminates a pregnancy, to give intimation of such termination and such other information relating to the termination as may be specified in such regulations;

(c) prohibit the disclosure, except to such persons and for such purposes as may be specified in such regulations, of intimations given or information furnished in pursuance of such regulations.

(2) The intimation given and the information furnished in pursuance of regulations made by virtue of clause (b) of sub-section (1) shall be given or furnished, as the case may be, to the Chief Medical Officer of the State.

(3) Any person who wilfully contravenes or wilfully fails to comply with the requirements of any regulation made under sub-section (1) shall be liable to be punished with fine which may extend to one thousand rupees.

8. Protection of action taken in good faith. — No suit or other legal proceeding shall lie against any registered medical practitioner for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/A/7/1940/71

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 23rd September, 1971 is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of Legislative Assembly.

**THE GOA, DAMAN AND DIU APPROPRIATION
(EXCESS EXPENDITURE) BILL, 1971**

(Bill No. 28 of 1971)

A BILL to provide for the authorisation of appropriation of moneys from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1968-69 in excess of the amounts granted for those services and for that period.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty second year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Appropriation (Excess Expenditure) Act, 1971.

2. **Issue of Rs. 2,93,411 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu to meet excess expenditure for the year 1968-69.**—From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, the sums specified in column 5 of the Schedule amounting in the aggregate to the sum of two lakhs, ninety three thousand, four hundred and eleven rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule for the year 1968-69 in excess of the amounts granted for those services and for that period.

3. **Appropriation.**—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu under this Act, shall be deemed to have been appropriated for the services and purposes expressed in the Schedule for the year 1968-69.

THE SCHEDULE
(See Sections 2 & 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the Union Territory of Goa, Daman and Diu	Total excess over grants/appropriation
1	2	3	4	5
7	Registration Fees	34,948	—	34,948
9	General Administration ...	65,336	3,695	69,031
27	Public Works ...	1,10,171	—	1,10,171
45	Capital Outlay on Forests ...	79,261	—	79,261
	Total ...	2,89,716	3,695	2,93,411

Financial Memorandum

The provision of Rs. 2,93,411 included in the Bill relates to the amounts appropriated for certain services and purposes expressed in the Schedule during the year 1968-69, over and above the amounts granted for the services for the said period. The amounts mentioned above consist of Rs. 2,14,150 on Revenue Account and Rs. 79,261 on Capital Account for the said year.

Statement of Objects and Reasons

The Demands for Excess Grants for the expenditure of this Union Territory for the year 1968-69 were presented to the Legislative Assembly on 20th September, 1971. They have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in pursuance of Section 29(1) of the Government of Union territories Act, 1963 to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory of Goa, Daman and Diu to meet the amounts spent on certain services during the year 1968-69 in excess of the amounts granted for those services and for that period.

The Administrator has, in pursuance of sub-section (1) of Section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

DAYANAND B. BANDODKAR
Chief Minister

Assembly Hall,
Panaji,

V. L. DANDWATE
Under Secretary to the Legislative
24th September, 1971. Assembly of Goa, Daman and Diu.

Planning Department

ORDER

4-11/71 PLG

Sub: Integration and Reorganisation of the Directorate of Statistics and Plan Evaluation Organisation.

The question of having the General Statistics and Evaluation Services of this Territory as separate Departments and whether they should be amalgamated into one Department have been examined and after careful consideration, the Government hereby orders that the two departments should be amalgamated in the following manner with effect from the date of issue:—

1. **Integration of Department.**—The Department of General Statistics and the Plan Evaluation Organisation shall be integrated into one Department and the reorganised department shall be called "Bureau of Economics, Statistics & Evaluation". This Bureau will be responsible for all work relating to statistics, economic analysis and evaluation.

2. **Head of Department.**—In supersession of the two existing posts of Head of Department viz. Evaluation Officer and the Director of Statistics (in the scale of pay of Rs. 900-40-1100-50/2-1250), and Rs. (700-1250), respectively, there will be only one post of the Director, Bureau of Economics, Statistics & Evaluation, in the scale of pay of Rs. 900-1250.

3. **Deputy Directors.**—The Bureau shall be divided into two broad divisions: (i) Statistics and (ii) Economics and Evaluation. The present post of Deputy Director in the General Statistics Department, (scale of pay 350-900) is redesignated as Deputy Director (Statistics), while the post of Research

Officer (scale of pay 350-900) in the Plan Evaluation Organisation is redesignated as Deputy Director (Economics and Evaluation).

4. **Staff of the Bureau.**—All the existing staff of the General Statistics Department will become the staff of the Bureau. Similarly, all the staff of the Plan Evaluation Organisation, excepting those declared surplus as mentioned below, will also become the staff of the Bureau.

5. **Surplus Staff.**—The following posts of the Plan Evaluation Organisation will be surplus:—

Post	No.
Accountant	1
U. D. C.	1
L. D. C.	1
Peons	2

The incumbents holding these posts are already borne on the Accounts and Secretariat Cadres, and shall therefore be reverted to their respective cadres. Details of such staff are given in Appendix-A.

6. **Accommodation.**—The entire staff of the Bureau will be accommodated in the premises presently occupied by the General Statistics Department. The accommodation hired by the Plan Evaluation Organisation will be vacated as soon as possible after giving the necessary notice to the owner.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 24th September, 1971.

APPENDIX — A

Staff of the Plan Evaluation Organisation to be reverted to the Accounts and Secretariat Cadres.

Post	Incumbent	Scale of pay	Cadre to which belongs
1. Accountant	Shri B. S. Borkar	Rs. 210-10-290-15-320-EB-15-380	Accounts
2. Upper Division Clerk	Shri J. Mascarenhas	Rs. 130-5-160-8-200-EB-8-256-EB-8-280-10-300	Secretariat
3. Lower Division Clerk	Shri S. S. Dharanguti	Rs. 110-3-131-4-155-EB-4-175-5-180	— do —
4. Peon	Shri H. L. Kubal	Rs. 70-1-80-EB-1-85	— do —
5. — do —	Shri V. E. Desai	— do —	— do —

Labour and Information Department

Mormugao Port Trust.

Notification

MPT/IGA (E.1334)/71

As required under Section 124(2) of the Major Port Trusts Act, 1963 the Mormugao Port Employees' (Superannuation and Age of Retirement)

Regulations, 1971 adopted by the Board are hereby published:—

1. **Short title and commencement.**—These regulations shall be called the Mormugao Port Employees (Superannuation and Age of Retirement) Regulations, 1971.

2. **Application.**—These regulations shall apply to all employees appointed to the Mormugao Port Trust Service.

3. **Definition.**—In these regulations, unless there is anything repugnant in the subject or context:

i) 'Board' means the Board of Trustees of the Port of Mormugao appointed under the Major Port Trusts Act, 1963.

ii) The term 'Class I', 'Class II', 'Class III' and 'Class IV' shall have the same meaning as assigned to them in regulation 6 of Mormugao Port Employees (Classification, Control and Appeal) Regulations, 1964.

iii) «Appropriate Authority» means the authority which has power to make substantive appointments to the post or service from which the employee is required or wants to retire, as specified in schedule to Mormugao Port Employees (Classification, Control and Appeal) Regulations, 1964.

4. **Principles governing the age of retirement.**—

a) Except as otherwise provided hereunder, every employee of the Board other than in Class IV service of the Board, shall retire on the day he attains the age of fifty-eight years.

b) An employee in Class IV service or post shall retire on the day he attains the age of sixty years.

c) An employee to whom Regulation 4(a) applies, may be granted extension of service after he attains the age of fifty-eight years with the sanction of the appropriate authority if such extension is in the public interest and the grounds therefor are recorded in writing;

Provided that no extension under this sub-regulation shall be granted beyond the age of sixty years except in very special circumstances.

5. **Compulsory Retirement after attaining age of 50/55 years.**—Notwithstanding anything contained in these regulations the appropriate authority shall if it is of the opinion that it is in the public interest to do so have the absolute right to retire any employee of the Board by giving him notice of not less than three months in writing or pay and allowances in lieu of such notice:

i) If he is in Class I or Class II service or post and had entered Board's service before attaining the age of thirty-five years, after he has attained the age of fifty years,

ii) in any other case, after he has attained the age of fifty-five years.

6. **Voluntary Retirement after attaining age of 55 years.**—Any employee of the Board may by giving notice of not less than three months in writing to the appropriate authority retire from service after he has attained the age of fifty years if he is in Class I or Class II service or post and had entered

Board's service before attaining the age of thirty-five years and in all other cases, after he has attained the age of fifty-five years.

Provided that it shall be open to the appropriate authority to withhold permission to an employee under suspension who seeks to retire under this regulation.

7. Compulsory retirement after 30 years service. Notwithstanding anything contained in Regulation (5), the appropriate authority shall, if it is of the opinion that it is in the public interest to do so, have the absolute right to retire an employee in Class III service or post who is not governed by the Board's pension regulations, after he has completed thirty years service by giving him notice of not less than three months in writing or pay and allowances in lieu of such notice.

8. Voluntary retirement after 30 years service. —

An employee in Class III service or post who is not governed by the Board's pension regulations, may by giving notice of not less than three months in writing to the appropriate authority retire from service after he has completed thirty years service.

- Notes:* (i) The three months notice referred to in Regulation 5, 6, 7 or 8 may be given before the employee attains the age specified in Regulation (5) and (6) or has completed 30 years service specified in Regulation 7 and 8 provided that retirement takes place after he has attained the relevant age or has completed 30 years service, as the case may be.
- (ii) In computing the notice period of three months referred to in Regulation 5 and 6 the date of service of the notice shall be included.
- (iii) An employee who is granted extension of service after he has attained the prescribed age of superannuation, shall not be promoted to another post during the period of extension.

9. Form of Notice. — The form attached (Annexure 'A') may be used for giving notice vide Regulations 5 and 7.

10. In applying the foregoing regulations, and in respect of matters not dealt with in these regulations the provision of Fundamental Rule 56 and Central Civil Service Regulations and the orders of the Central Government issued thereunder from time to time shall be followed so far they are not inconsistent with provision of these regulations subject to such exceptions and modifications as the Board may from time to time determine.

11. Interpretation. — If any question arises relating to the interpretation of these regulations the decision of the Board thereon shall be final and conclusive.

ANNEXURE 'A'

Mormugao Port Trust

Form of Notice

WHEREAS THE ... (appropriate authority) is of the opinion that it is in the public interest to do so;

NOW, THEREFORE, in exercise of the powers conferred by Regulation ... of Mormugao Port Employees (Superannuation and Age of Retirement) Regulations, 1971, the ... (appropriate authority) hereby gives notice to ... (Name ... (Designation) ... that he having already attained

on attaining the age of fifty/fifty-five years having completed thirty years of service on completing

on the ... 19..., shall retire from service with effect from the forenoon of ... or, from the date of expiry of three months computed from the date of the service of this notice on him, whichever is later.

Signature

Designation of the Appropriate Authority

To

Shri/Smt. ...

ACKNOWLEDGEMENT

I, ..., now holding the post of ..., hereby acknowledge the receipt of the original notice of the order of retirement as aforesaid.

Countersignature ...

Name ...

Designation ...

Place ...

Date ...

Signature ...

Designation ...

Place ...

Date ...

By order,

Shivakumar Dhindaw

Secretary

Mormugao, 22nd July, 1971.

(2nd time)

Notification

MPT/IGA(E.1385)/71

As required under Section 124(2) of the Major Port Trusts Act, 1963 the Mormugao Port Employees' (Recognition of Service Association) Regulations, 1971 adopted by the Board are hereby published: —

1. Short Title. — These regulations may be called the Mormugao Port Employees (Recognition of Service Association) Regulations, 1971.

2. Definitions. — In these regulations unless the context otherwise requires: —

(a) "Board" means the Board of Trustees of the Mormugao Port constituted under the Major Port Trusts Act, 1963.

(b) "Chairman" means the Chairman of the Board.

(c) "Employees" means persons employed under the Board on a scale of pay in accordance with the schedule of Board's Staff prepared by the Board under Section 23 of the Major Port Trusts Act.

(d) "Service Association" means an association of employees and includes a Federation or Confederation of Service Associations.

3. Conditions for recognition of Service Associations. — No Service Association shall be recognised by the Board after the commencement of these regulations unless all the following conditions are satisfied, namely —

(a) an application in the form as in the annexe for the recognition of the Service Association is made with all the information relevant for such recognition;

(b) the Service Association is formed primarily with the object of promoting the common service interests of its members belonging to a grade or group of grades;

(c) membership of the service association is restricted to a distinct grade or a group of grades of employees having common service interests, all such employees being eligible for membership of the Service Association.

(d) the Service Association is not formed on the basis of any caste, tribe or religious denomination or of any group within, or section of such caste, tribe or religious denomination.

(e) no person, who is not an employee is connected with the affairs of the Service Association.

Explanation. — An honourably retired employee of the grade the Service Association represents may be considered an employee for the purpose of this regulation.

(f) the Executive of the Service Association is appointed from amongst the members only and permission of the Chairman is obtained for those elected to hold posts as office bearers.

(g) the funds of the Service Association consist exclusively of subscriptions/donations from members and grants, if any, made by the Board and are applied only for the furtherance of the objects of the Service Association;

(h) the minimum paid up membership of the association is not less than 15% of the total strength of the grade or grades which it purports to represent;

(i) the Association abjures strike; and

(j) the Service Association is not such the objects of which are prejudicial to the interests of the sovereignty and integrity of India or Public order or morality.

4. Conditions subject to which recognition is granted to Service Association. — Every Service Association recognised under these instructions shall comply with the following conditions namely:—

(a) the Service Association shall not send any representation or deputation except in connection with a matter which is of common interest to members of the Service Association;

(b) the Service Association shall not espouse or support the cause of individual employees relating to service matters;

(c) the Service Association shall not maintain any political fund or lend itself to the propagation of the views of any political party or politicians;

(d) All representations by the Service Association shall as a normal practice be addressed to the Chairman of the Board.

(e) a list of members who are not in arrears of their subscriptions as on 31st March and office bearers, and a upto date copy of the rules and audited statement of accounts of the Service Association shall be furnished to the Board annually through proper channel after the general annual meeting so as to reach the Board before the 1st July each year. The full details of the paid up membership shall be duly attested by the President/General Secretary of the Association;

(f) Any amendment of a substantial character in the rules of the Service Association should be made only with the previous written approval of the Port Trust Board, any other amendments of minor importance should be communicated through proper channel to the Board for information.

(g) the previous permission in writing of the Board shall be taken before the Service Association seeks affiliation with any other Union, Service Association or Federation of Service Associations;

(h) the Service Association shall cease to be affiliated to a federation, confederation or Service Association whose recognition under these instructions is withdrawn by the Board.

(i) a federation or a confederation of Service Associations shall affiliate only recognised Service Associations, and if the recognition accorded to any of the Service Associations is withdrawn by the Board the federation or confederation of Service Association shall forthwith disaffiliate such Service Association;

(j) the Service Association shall not do any act or assist in doing of any act, which if done by an employee, would contravene any of the provisions of the Mormugao Port Employees (Conduct) Regulations, 1964, as amended from time to time; provided that a Service Association may publish a journal devoted to service matters, for circulation among its members with the specific permission of the Board.

(k) the Service Association shall not address any communication to any other Board or other authority except through the Board, who shall have the right to withhold it; and

(l) communications addressed by the Service Association or by any office bearers of the Association on its behalf to the Board or any authority under the Board shall not contain disrespectful or improper language.

5. Service Associations already recognised. — A Service Association which has been recognised by the Board before the commencement of these regulations and in respect of which the recognition is subsisting at such commencement, shall be required to apply afresh for recognition under these regulations.

6. Withdrawal of Recognition. — If in the opinion of Board, a Service Association recognised under these regulations has failed to comply with the conditions prescribed in these regulations, the Board may withdraw the recognition accorded to such Association.

7. Relaxation. — The Board may dispense with or relax the requirements of any of these regulations

to such extent and subject to such conditions as they deem fit in regard to any service association or class of service associations.

8. Removal of doubts.—If any question arises as to the interpretation of any of the provisions of these regulations, it shall be referred to the Chairman of the Board whose decision thereon shall be final.

ANNEXURE

From ...

To,
The Chairman,
Mormugao Port Trust.

Sub:—Grant of Recognition to ... Association.

Sir,

On behalf of the ... Association, I request that this Association may be granted recognition. A copy of the Constitution of the Association is enclosed for perusal.

2. The Association was registered on ... under the ...

3. The afore-said Association represents employees of the following grades/services ... in the ... Department.

(I) ...

(II) ...

(III) ...

The present paid-up membership of the Association is ..., distributed amongst the various grades/services/categories as follows:—

Grade/Services	No. of Members
(I)	
(II)	
(III)	

A list of members giving details of subscription paid by them duly attested by the President/General Secretary of the Association is enclosed.

The afore-said Association has by a resolution passed at its meeting held on ..., agreed to abide by the instructions issued by the Port Administration for the purpose of recognition of Association. A copy of the resolution duly attested by the President of the Association is also enclosed.

Yours faithfully,

Signature

Name

Designation President/Gen. Secretary.

By order,

Shivakumar Dhindaw
Secretary

Mormugao, 22nd July, 1971.

(2nd time)

Notification

MPT/IGA(E.682-I)/71

As required under Section 124(1) of the Major Port Trusts Act, 1963, it is hereby notified that the Central Government vide Ministry of Shipping and Transport's letter No. 7-PE(26)/71 dated the 26th July, 1971, have accorded approval to the amendment

to the Mormugao Port Employees' (Pension and Gratuity) Regulations, 1966 published in the Government Gazette Nos. 44 and 45, Series I dated the 28th January and 4th February, 1971 respectively.

The amendment will be effective from the date of publication of this notification.

By order,

Shivakumar Dhindaw

Secretary

Mormugao, 4th August, 1971.

Notification

MPT/IGA(E.344)/71

As required under Section 124(1) of the Major Port Trusts Act, 1963, it is hereby notified that the Central Government vide Ministry of Shipping and Transport's letter No. 17-PE(27)/71 dated the 26th July, 1971, have accorded approval to the amendments to the following regulations published in the Government Gazette Nos. 51 and 52, Series I dated the 18th and 25th March, 1971 respectively:—

I Mormugao Port Employees' (Leave) Regulations, 1964.

II Mormugao Port Employees' (Medical Attendance) Regulations, 1969.

III Mormugao Port Employees' (Grant of Advances for purchase of Conveyances) Regulations, 1969.

The amendments shall come into force on the date of their publication in the Official Gazette.

By order,

Shivakumar Dhindaw

Secretary

Mormugao, 5th August, 1971.

Public Health Department

Notification

ILD/HS/347/67-Vol. II

The Government of India, Ministry of Health and Family Planning's (Department of Health) Order No. F. 46-2/64-ESTT(P) (O&M) (V&CM) dated 3-8-1971, (published in Government of India Gazette, Part II, Section 3, Sub-Section (ii)) is hereby published for general information.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Health).

Panaji, 24th September, 1971.

GOVERNMENT OF INDIA

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

New Delhi, 3rd August, 1971

Order

S. O. — In pursuance of clause (a) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby directs that the authorities mentioned below shall be the disciplinary authorities competent to impose the penalties specified in clauses (i) to (iv) of rule 11 of the said rules on the members of the Central Health Service Class II, appointed to "duty posts" of the Central Health Service in the respective Union Territories,

and that the Secretary, Ministry of Health and Family Planning shall be the appellate authority for entertaining appeals against the orders passed by the said disciplinary authorities: —

1. Chief Secretary, Delhi Administration.
2. Administrator, Dadra and Nagar Haveli.
3. Chief Commissioner, Andaman and Nicobar Islands.
4. Chief Secretary, Government of Goa, Daman and Diu.
5. Administrator, Laccadive, Minicoy and Amindivi Islands.
6. Chief Secretary, Government of Manipur.
7. Advisor to the Governor of Assam, North East Frontier Agency.
8. Chief Secretary, Government of Tripura.